

Below is the Order of the Court.



*Mary Jo Heston*

**Mary Jo Heston**  
**U.S. Bankruptcy Judge**  
(Dated as of Entered on Docket date above)

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

In re:

RICK GREER,

Debtor.

Case No. 17-44257

**ORDER DENYING MOTION TO EXTEND  
THE AUTOMATIC STAY AND  
DISMISSING CASE**

This matter came before the Court on the motion of debtor Rick Greer "Debtor," to extend the automatic stay. Following an initial hearing on December 5, 2017, the Court entered an order conditionally extending the automatic pending a final hearing on December 19, 2017. The Debtor, the Chapter 13 Trustee, and creditor Ditech Financial LLC appeared at the final hearing. The Court's order conditionally extending the stay required the Debtor to explain why the Court should not dismiss this case for lack of eligibility pursuant 11 U.S.C. § 109(g)(2) and also required the Debtor to provide additional information to both the Court and the Chapter 13 Trustee in support of his request for extending the stay. After reviewing the motion, record, and considering argument of the parties, the Court finds that the Debtor has

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EXTEND THE AUTOMATIC STAY  
AND DISMISSING CASE -1**

1 not satisfied his burden to extend the automatic stay and that the Debtor is not eligible to file a  
2 Chapter 13 case pursuant to 11 U.S.C. § 109(g)(2). Therefore, it is

3 **ORDERED** that the Court's oral Findings of Fact and Conclusions of Law as stated on  
4 the record are incorporated into this order pursuant to Federal Rule of Bankruptcy Procedure  
5 7052. It is further

6 **ORDERED** that the Debtor's motion to extend the automatic stay is DENIED and the  
7 stay shall terminate as of the date of entry of this order. It is further,

8 **ORDERED** that the case is dismissed for lack of eligibility pursuant to 11 U.S.C. §  
9 109(g)(2).  
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ORDER DENYING MOTION TO  
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AND DISMISSING CASE -2